

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re OPTIONABLE SECURITIES  
LITIGATION

DOCKET NUMBER: 07-cv-3753-LAK

HON. LEWIS A. KAPLAN

**SUPPLEMENTAL DECLARATION OF KIM E. MILLER IN FURTHER SUPPORT OF  
THE MOTION OF KLD INVESTMENT MANAGEMENT, LLC TO BE APPOINTED  
LEAD PLAINTIFF, TO APPROVE PROPOSED LEAD PLAINTIFF'S SELECTION OF  
COUNSEL, AND IN OPPOSITION TO ALL OTHER COMPETING MOTIONS**

I, Kim E. Miller, hereby declare as follows:

1. I am a member in good standing of the bar of New York. I am a member of the law firm of Kahn Gauthier Swick, LLC, proposed Lead Counsel for Movant, KLD Investment Management, LLC ("KLD"). I submit this supplemental declaration in further support of the motion filed by KLD to: (1) to be appointed as Lead Plaintiff; (2) to approve Lead Plaintiff's selection of Lead Counsel for the Class; and (3) in opposition to all other competing motions.

2. Attached as exhibits are true and correct copies of the following:

Exhibit A: NYS Dept of Corporations filing showing Hemant Desai is also CEO of NY Drugs; and

Exhibit B: KLD Investment Management, LLC Relevant Webpages.

I declare under penalty of perjury under the laws of the state of New York that the foregoing facts are true and correct. Executed this 27<sup>th</sup> day of July, 2007, at New York, New York.

DATED: July 27, 2007

/s/ Kim E. Miller

KIM E. MILLER

# **Exhibit A**

# NYS Department of State

## Division of Corporations

### Entity Information

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Selected Entity Name: NY DRUGS INC.

#### Selected Entity Status Information

**Current Entity Name:** NY DRUGS INC.

**Initial DOS Filing Date:** MARCH 10, 2000

**County:** BRONX

**Jurisdiction:** NEW YORK

**Entity Type:** DOMESTIC BUSINESS CORPORATION

**Current Entity Status:** ACTIVE

#### Selected Entity Address Information

**DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)**

NY DRUGS INC.

706 CASTLE HILL AVE

BRONX, NEW YORK, 10473

#### Chairman or Chief Executive Officer

HEMANT DESAI

706 CASTLE HILL AVE

BRONX, NEW YORK, 10473

#### Principal Executive Office

HEMANT DESAI

706 CASTLE HILL AVE

BRONX, NEW YORK, 10473

#### Registered Agent

NONE

NOTE: New York State does not issue organizational identification numbers.

[Search Results](#) [New Search](#)


[Division of Corporations, State Records and UCC Home Page](#) [NYS Department of State Home Page](#)

# **Exhibit B**

1.800.888.5934  
1.541.672.3469



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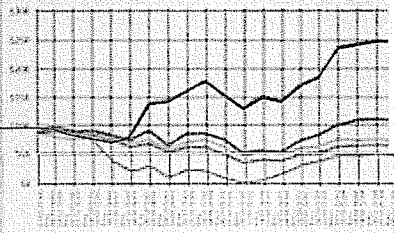


## "HELPING YOU ENJOY THE FRUITS OF YOUR LABOR"

KLD Investment Management LLC is a fee-only registered investment advisor that manages personal, trust and retirement accounts. Our client's investment success is our only motivation.

To learn more about our investment portfolio's, call us at (541) 672-3469. Toll free: 1-800-888-5934. Write or visit us at 738 SE Kane St. Roseburg, OR 97470.

**LATEST FINANCIAL CHART**



*\* The data contained on this page is historical in nature. Historical results are not indicative of future performance. Positive returns are not guaranteed and investing may cause capital loss. The indices used for comparison are significantly less volatile than KLD portfolios because of the higher number of securities holdings. The performance data includes deduction of all advisory fees and reinvestment of interest, dividends and capital gains.*

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#### MORE

**The Most Beautiful Investment Tool of All . . . Compounding of Interest**  
May 11, 2005

**Selling the Short Term... Guess Who Loses**  
May 4, 2005

**Your Social Security Number . . Who Has It?**  
April 27, 2005

**Oil Prices Dropped and So Did Stock Market**  
April 20, 2005

**Where is the Real Stock Market?**  
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## A personal letter to those considering a fee-only investment advisor...

Hello,

My name is Kerwin Doughton, owner of KLD Investment Management LLC and KLD's portfolio manager.

KLD Investment Management LLC has experienced exceptional growth. This growth occurred even during the worst declining stock market in decades (2000-2002). The growth happened because assets under management appreciated greatly and new clients were referred to KLD.

Let me step back in time. In 1970, I began my career with a major securities brokerage firm in Eugene, Oregon. I experienced the commission brokerage world for a number of years. Approximately 10 years ago, I began serving my clients as I thought they should be served...as a fee-only investment manager.

Today, KLD exists to manage other people's money with one mission in mind:  
To be motivated only by the investment success of KLD's clients.

Further, the staff of KLD Investment Management LLC and I serve clients without bias or conflict of interest. We serve by helping clients define their investment goal(s) and objective(s) and by designing and managing a sound strategy to get the job done.

Many KLD clients are experienced investors. They came to us seeking something they were missing--trust and performance. Others came because they were new to the investment arena. They were entering an unfamiliar world with trust and expectations that were placed with KLD. These investors are now benefiting from the "KLD Investment Edge."

KLD hopes to serve you in the future.

Kerwin L. Doughton  
Investment Advisor

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**Q: Why is a Fee Only Investment Advisor better for you?**

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## Contact Us

### In Person

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or, [Contact Us Online!](#)

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